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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

April 4, 1996

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Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554
Attention: Allocations Branch

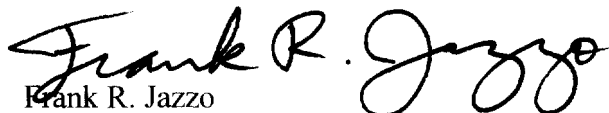
Re: Comments and Counterproposal
Neil A. Rones and Luann C. Dahl
MM Docket No. 96-32
RM-8719
Canton, Illinois and Canton, Missouri

Dear Mr. Caton:

Transmitted herewith, on behalf of Neil A. Rones and Luann C. Dahl, applicant for a construction permit for a new FM station on Channel 266A at Canton, Illinois, are an original and four copies of their Comments and Counterproposal in the above-captioned proceeding.

Should any questions arise concerning this matter, please contact this office.

Very truly yours,
FLETCHER, HEALD & HILDRETH, P.L.C.


Frank R. Jazzo

Counsel for Neil A. Rones and Luann C. Dahl

FRJ/mgm

cc: Service List (w/enc.)

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BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b),)
Table of Allotments,)
FM Broadcast Stations)
Canton, Illinois and Canton,)
Missouri)
)

MM Docket No. 96-32
RM-8719

To: Chief, Allocations Branch
Mass Media Bureau

COMMENTS AND COUNTERPROPOSAL

Neil A. Rones and Luann C. Dahl ("Rones & Dahl"), applicant for a construction permit for a new FM station on Channel 266A at Canton, Illinois (BPH-951011MA), by their attorney, hereby submit their Comments and Counterproposal in the above-captioned proceeding. In support thereof, the following is stated:

1. On March 6, 1996, the Commission released a Notice of Proposed Rule Making, (DA 96-218, ("NPRM")), in the above-captioned proceeding. Therein, the NPRM proposes to substitute Channel 265C2 for Channel 265C3 at Canton, Missouri, and to modify the license of FM station KRRY to specify operation thereon. In order to accommodate the KRRY upgrade, the NPRM proposes either to substitute Channel 252A for Channel 265A at Canton, Illinois, or to delete Channel 265A at Canton, Illinois. Both options concerning Channel 265A at Canton, Illinois, are premised on the mistaken belief that no applications were filed at the Commission in conflict with Channel 265A at Canton, Illinois.

2. Rones and Dahl, in fact, filed their application for a construction permit for a new FM station on Channel 266A at Canton, Illinois, pursuant to Section 73.203(b) of the FCC's Rules, on October 11, 1995 (BPH-951011MA), which was the final day of the mini-filing window opened for the channel. Rones and Dahl proposed full Class A facilities of six kilowatts effective radiated power at 100 meters height above average terrain on Channel 266A; facilities which could not be proposed on Channel 265A due to spacing constraints.

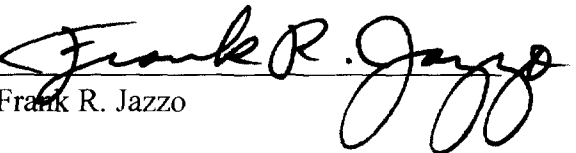
3. As demonstrated in the attached Engineering Statement of R. Lee Wheeler of Wheeler Broadcast Consulting, the Rones and Dahl Channel 266A application is not mutually exclusive with the proposed KRRY Channel 265C2 upgrade at Canton, Missouri. The proposed substitute channel, Channel 252A at Canton, Illinois, however, would be short-spaced at the proposed Rones and Dahl transmitter site.

4. Accordingly, Rones and Dahl hereby counterpropose that Channel 266A be substituted for Channel 265A at Canton, Illinois, and that their one-step application (BPH-951011MA) be granted expeditiously. Rones and Dahl oppose the substitution of Channel 252A for Channel 265A or the outright deletion of Channel 265A at Canton, Illinois. Rones and Dahl do not object, however to the upgrade of KRRY on Channel 265C2 at Canton, Missouri, provided that their Channel 266A application is protected. Since the Rones and Dahl Channel 266A application eliminates the conflict with the proposed KRRY upgrade on Channel 265C2, such upgrade could be accomplished by a one-step application.

WHEREFORE, for the foregoing reasons, Rones and Dahl respectfully request that Channel 266A be substituted for Channel 265A at Canton, Illinois, and that their application (BPH-951011MA) be granted expeditiously. Rones and Dahl oppose the Channel 252A substitution or the outright deletion of Channel 265A at Canton, Illinois.

Respectfully submitted,

NEIL A. RONES AND LUANN C. DAHL

By: 
Frank R. Jazzo

Their Attorney

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April 4, 1996

mm/ftjh/rones.c&c



WHEELER BROADCAST CONSULTING

Engineering Statement

Comments and Counterproposal to RM-8719

This consultant has been retained by Neil A. Rones and Luann C. Dahl (Rones & Dahl) for the purpose of preparing comments in Docket 96-32, RM-8719, at Canton, Illinois and Canton, Missouri. Specifically, the petitioners in RM-8719 seek to re-allocate Channel 265A at Canton, Illinois to Channel 252A and upgrade the allocation at Canton, Missouri from Channel 265C3 to Channel 265C2.

On October 11, 1995, Rones & Dahl filed a one-step upgrade application for Channel 266A at Canton, Illinois (BPH-951011 MA). Channel 265 was originally allocated as a 3 kW class A facility and could not be constructed as a 6 kW facility at the original allocation reference site due to a short spacing with WRLZ at Peru, Illinois. A search of the Commission's FM database at that time revealed that channel 266A could be substituted in a one-step fashion at Canton, Illinois and, as the allocation was released as a First Come / First Served allocation, a one-step application was acceptable for filing.

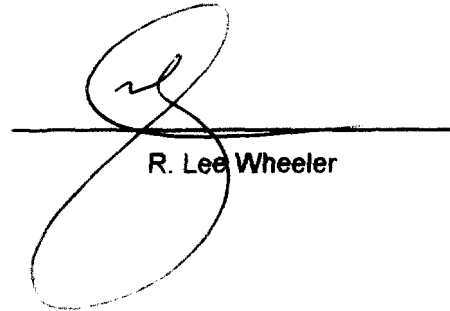
The re-allocation of Channel 265A to Channel 266A, as proposed in the Rones & Dahl application, is not mutually exclusive with the upgrade of KRRY at Canton, Missouri from Channel 265 C3 to Channel 265 C2. Exhibit 1 of this report is a spacing study, from the Rones & Dahl application site, that indicates that all minimum distance requirements of 47 CFR 73.207 are met, including the proposal at Canton, Missouri. The proposed substitution of Channel 252A for Channel 265A at Canton, Illinois, however, is mutually exclusive with the Rones & Dahl application as Channel 252 A is not available at the Rones & Dahl transmitter site. Exhibit 2 of this report is a spacing study, from the Rones and Dahl transmitter site, that clearly indicates that Channel 252A is not available due to a short spacing to WIVR in Eureka, Illinois.

In paragraph 3 of the NPRM, DA 96-218, the Chief, Allocations Branch indicates that, "The channel is currently vacant with no applications on file at the Commission." This assertion is in error as it ignores the Rones & Dahl application for Channel 266A in BPH-951011MA¹.

Based on the above information we find that the public interest would be served by granting the one-step application for Channel 266A at Canton, Illinois as filed by Rones & Dahl, dismissing RM-8719 as moot, and allowing KRRK to file its own one step application for Channel 265 C2 at Canton, Missouri.

All information contained in this report is true and accurate to the best of my belief. Having had numerous matters before The Commission, my qualifications are a matter of record.

4/3/1996
Date


R. Lee Wheeler

¹ For unknown reasons, BPH-951011MA did not appear on Public Notice until March 14, 1996.

WHEELER BROADCAST CONSULTING
6025 Martway - Suite 112 - Mission KS 66202

Neil Rones & Luann Dahl
Canton, IL

REFERENCE	CLASS A	DISPLAY DATES
40 36 49 N		DATA 03-07-96
89 56 22 W	Current rules spacings	SEARCH 03-14-96
----- CHANNEL 266 -101.1 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
DE265	265A	Canton	IL	170.9	7.00	72.0	-65.00 *
DE	40 33 05	89 55 35	0.000 kW	OM	4.3	44.8	
	Bick Broadcasting				RM8719		951011
>PRM							
ALOPEN	265A	Canton	IL	170.9	7.00	72.0	-65.00 *
AL N	40 33 05	89 55 35	0.000 kW	OM	4.3	44.8	
			WO= 951004				951011
>Mini-Window opened 951004 to 951011, if no applications are filed b							
>those dates, allotment automatically becomes First Come / First Ser							
WLLRFM	267B	East Moline	IL	345.0	115.62	113.0	2.62 <
LI CN	41 37 10	90 17 41	50.000 kW	152M	71.9	70.2	
	Mississippi Valley Broadcasti				BLH6977		
>Station is changing class to C2 via application to move antenna sit							
>Zone 2 in Iowa.							
WVIL.C	267A	Virginia	IL	206.8	75.31	72.0	3.31
CP ZCN	40 00 29	90 20 18	6.000 kW	100M	46.8	44.8	
	Mark J. Langston				BPH950213MF		970208
WLLRFM	267C2	East Moline	IL	336.5	113.05	106.0	7.05
CP CN	41 32 49	90 28 35	11.500 kW	312M	70.3	65.9	
	Mississippi Valley Broadcasti				BPH940404IO		960212
>From 267B, Antenna is located in Iowa, Zone 2.							
WBNQ	268B	Bloomington	IL	102.3	80.55	69.0	11.55
LI CN	40 27 32	89 00 38	50.000 kW	140M	50.1	42.9	
	Bloomington Broadcasting Corp				BLH780803AC		
WLLRFM	267C2	East Moline	IL	340.7	119.90	106.0	13.90
AP CN	41 37 58	90 24 38	12.500 kW	299M	74.5	65.9	
	Mississippi Valley Broadcasti				BMPH951120IM		
>From Channel 267B, Antenna is Located in Iowa, Zone 2.							
WVRV	266B	East St. Louis	IL	184.3	207.15	178.0	29.15
LI CN	38 45 11	90 07 09	44.000 kW	160M	128.7	110.6	
	Our Lady of the Snows B/C Cor				BLH890616KC		
WLRZ	265A	Peru	IL	42.0	101.45	72.0	29.45

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CLASS A

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
LI CN	41 17 32	89 07 58	1.000 kW	140M	63.0	44.8	
		Starved Rock Radio Project, I			BLH810514AE		
WYMG	263B	Jacksonville	IL	179.2	105.77	69.0	36.77
LI DEN	39 39 40	89 55 18	50.000 kW	150M	65.7	42.9	
		Saga Communications of Illino			BLH851226KC		
AD265	265C2	Canton	MO	248.1	145.41	106.0	39.41
AD	40 07 33	91 31 42	0.000 kW	0M	90.4	65.9	
		Bick Broadcasting			RM8719		951011
>PRM							
WRVYFM	263A	Henry	IL	44.0	71.27	31.0	40.27
LI CN	41 04 32	89 21 10	3.000 kW	100M	44.3	19.3	
		Illinois Bible Institute			BLH900727KB		

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Neil Rones & Luann Dahl
Canton, IL

REFERENCE		DISPLAY DATES
40 36 49 N	CLASS A	DATA 03-07-96
89 56 22 W	Current rules spacings	SEARCH 03-14-96
----- CHANNEL 252 - 98.3 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
WBYSFM	252A	Canton	IL	221.6	10.14	115.0	-104.86 *
LI CN	40 32 43	90 01 08	3.000 kW	81M	6.3	71.5	
Fulton County Broadcasting Co					BLH4178		
>*To Channel 300B1 per D86-489							
AD252	252A	Canton	IL	238.3	14.28	115.0	-100.72 *
AD	40 32 46	90 04 59	0.000 kW	0M	8.9	71.5	
Bick Broadcasting					RM8719 951011		
>PRM-Site Restricted 3.9km West							
WIVR	253A	Eureka	IL	76.2	58.26	72.0	-13.74 *
LI CN	40 44 20	89 16 13	3.000 kW	100M	36.2	44.8	
Woodford County Radio, Inc.					BLH890927KB		
WEZO	252A	Farmer City	IL	107.2	124.85	115.0	9.85
LI CN	40 16 54	88 32 00	3.000 kW	91M	77.6	71.5	
Potomac Broadcasting Company					BLH831222AA		
WPXRFM	255B	Rock Island	IL	335.0	87.54	69.0	18.54
LI CN	41 19 40	90 22 47	39.000 kW	274M	54.4	42.9	
Cape Media, Inc.					BLH7653		
>GRANDFATHERED AT 39KW @ 274M HAAT.							
WAHI	253A	Augusta	IL	245.9	94.17	72.0	22.17
LI HN	40 16 03	90 57 10	1.000 kW	47M	58.5	44.8	
Good News Broadcasters, Inc.					BLED950511KA		
>Commercial Channel Operating Educational							
WZOE	251A	Princeton	IL	28.9	95.13	72.0	23.13
LI ZCN	41 21 49	89 23 36	6.000 kW	91M	59.1	44.8	
WZOE, Inc.					BLH920618KA		
WMOI	249A	Monmouth	IL	298.5	64.32	31.0	33.32
LI CN	40 53 25	90 36 31	3.400 kW	134M	40.0	19.3	
KCD Enterprises, Inc.					BLH910118KB		
WNNS	254B	Springfield	IL	172.5	102.36	69.0	33.36
LI CN	39 41 59	89 46 55	50.000 kW	143M	63.6	42.9	
Long Nine, Inc.					BMLH890813KB		

WHEELER BROADCAST CONSULTING
6025 Martway - Suite 112 - Mission KS 66202

CLASS A

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
WLUJ	249A	Petersburg	IL	163.1	71.04	31.0	40.04
LI CN	40 00 05	89 41 49	6.000 kW	100M	44.2	19.3	
	Richard L. Van Zandt				BMLH900420KE		
AP252	252A	Tower Hill	IL	151.7	164.53	115.0	49.53
AP CN	39 18 31	89 01 38	6.000 kW	100M	102.3	71.5	
	Cole C. Studstill				951206IA		

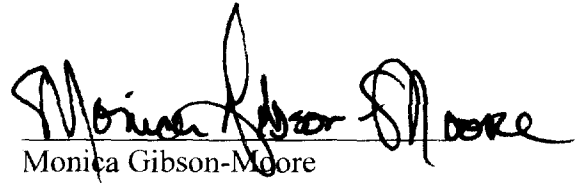
CERTIFICATE OF SERVICE

I, Monica Gibson-Moore, a secretary in the law firm of Fletcher, Heald & Hildreth, P.L.C. do hereby certify that true copies of the foregoing "Comments and Counterproposal" were sent this 4th day of April, 1996. by first class United States mail, postage prepaid, to the following:

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Chief, Allocations Branch
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Mass Media Bureau
Federal Communications Commission
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Washington, D.C. 20554

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*By Hand-Delivery